

UNITED STATES DISTRICT COURT

for the

Southern District of Illinois

Michael WidmerCase Number: 13-CV-663 MJR-SCW
(Clerk's Office will provide)

Plaintiff/Petitioner(s)

v.

Page, Childers, Harrington, Jones,
Butler, Brantley, Nurse Jane Does,
L. 2 + 3, Medical Director, medical doctor,
Geweler, Charlton, Hawley, John T.
Defendant/Respondent(s)

1st Amended

 CIVIL RIGHTS COMPLAINT
pursuant to 42 U.S.C. §1983 (State Prisoner) CIVIL RIGHTS COMPLAINT
pursuant to 28 U.S.C. §1331 (Federal Prisoner) CIVIL COMPLAINT
pursuant to the Federal Tort Claims Act,
28 U.S.C. §§1334, 2671-2680, or other lawKorando * Jane Does.
mail room staff.

I. JURISDICTION

Plaintiff:

Michael Widmer

A. Plaintiff's mailing address, register number, and present place of confinement.

Michael Widmer B30985, Meward, Correctional Center, PO Box 1000, Chester IL 62259.

Defendant(s) supplemented in this amended complaint

B. Defendant Childers is employed as
(a) (Name of First Defendant)Corrections Lieutenant
(b) (Position/Title)with Illinois Department of Corrections
(c) (Employer's Name and Address)Meward Correctional Center, PO 1000, Chester IL 62259At the time the claim(s) alleged this complaint arose, was Defendant #1 employed by the state, local, or federal government? Yes No

If your answer is YES, briefly explain:

State Govt Agency ILLC.

Defendant #2: Supplemented in this amended complaint.

C. Defendant Exciser is employed as

(Name of Second Defendant)

Corrections Lieutenant

(Position/Title)

with Illinois Department of Corrections

(Employer's Name and Address)

Menard Correctional Center, Chester IL 62259

At the time the claim(s) alleged in this complaint arose, was Defendant #2 employed by the state, local, or federal government? Yes No

If you answer is YES, briefly explain:

I DOC State Agency.

Additional Defendant(s) (if any):

D. Using the outline set forth above, identify any additional Defendant(s).

#3 Defendant Phoenix is a female corrections counselor at Menard Correctional Center in Chester IL 62259.

#4 Defendant Karando is a corrections officer at Menard Correctional Center in Chester IL 62259.

E. The above 4 named defendants were unknown or not named in the original complaint. All other defendants remain.

C. Defendant Childers is employed as
(Name of Second Defendant)
Correctional Lieutenant assigned to internal affairs
(Position/Title)
with Illinois Department of Corrections
(Employer's Name and Address)
Menard Correctional Center, PO 1000, Chester IL 62259

At the time the claim(s) alleged in this complaint arose, was the defendant employed by the state, local or federal government?

Yes No

If your answer is "yes", briefly explain:

Illinois Department of Corrections
State Government Agency,

D. Using the outline of the form provided, include the above information for any additional defendant(s).

All of the following defendants are state government employees of Illinois Department of Corrections at Menard Correctional Center. Page is a corrections Lt., Harris is the warden, Jones is the assistant warden, Butler is an assistant warden, medical director is the medical director at Menard, Exelsizer is a corrections Lt. Chaplin is the Chaplain at Menard. Jane Doe 1, Jane Doe 2 and Jane Doe 3 are Wexford Health Care/IDOC employees (nurses) John or Jane Doe's are unknown mail room staff, or internal affairs employees.

II. PREVIOUS LAWSUITS JONES & BUTLER are assistant wardens.

BOND BRAMLET is a legal coordinator.

A. Have you begun any other lawsuits in state or federal court relating to your imprisonment?

Yes No

B. If your answer to "A" is "yes", describe the lawsuit(s) in the space below. (If there is more than one (1) lawsuit, you must describe the additional lawsuits on another sheet of paper, using the same outline.) Failure to comply with this provision may result in summary denial of your complaint.

I have filed 7 complaints in the Southern District of Illinois Federal Court, since 1998. I currently have 6 pending complaints in the Southern District Federal Court and 1 complaint in the Central District of Illinois. Counsel is appointed in both districts in all cases. All cases are against employees of IDOC.

1. Parties to previous lawsuits:

Plaintiff(s) Myself onlyDefendant(s) Numerous, but none who are named in this complaint.

2. Court (if Federal Court, name the District; if State Court, name the County)

Central & Southern District of Illinois Federal Court12-c-2234 Central District Judge McCuskey3. Docket numbers 12 CV 1261, 13 CV 23, 13 CV 24, 13 CV 25, 13 CV 26, 13 CV 417 Southern4. Name of Judge to whom case was assigned Reagan and Gilbert

5. Type of case (for example: Was it a Habeas Corpus or Civil Rights action?)

6. Disposition of case (for example: Was the case dismissed? Was it appealed? Is it still pending?)

Pending7. Approximate date of filing lawsuit JAN 7, 20138. Approximate date of disposition Pending N/A

III. GRIEVANCE PROCEDURE

A. Is there a prisoner grievance procedure in the institution? YesB. Did you present the facts relating to your complaint in the prisoner grievance procedure?
Yes No

C. If your answer is "yes",

1. What steps did you take? I filed a total of 10 grievances under the EMERGENCY GRIEVANCE provision beginning on June 19, 2013. After 25 days, I received no answer, response or relief.2. What was the result? No response other than from defendant (Childers who advised me it would do me no good to file grievances at that time in a hostile tone. On July 2nd, 2013 in his office, while being interviewed about my being assaulted on 6-19-13D. If your answer is "no", explain why not. N/A by left Plaintiff in order of staff

E. If there is no prisoner grievance procedure in the institution, did you complain to prison authorities? Yes No

F. If your answer is "yes",

1. What steps did you take? I authored and mailed letters to defendants Harrison, Butler, Jones, Medical Director, Chaplain, and Brant + Phoenix, as well as DDC Director, Deputy Director for Southern Region and Governor Bellino.
2. What was the result? I was interviewed by internal affairs on July 2, 2013 and told by deft. Childers, it would do me no good to file grievances at Menard. DDC Phoenix told me, she could not assist me with any issue and returned.

G. If your answer is "no", explain why not. N/A

H. Attach copies of your request for an administrative remedy and the response(s) you received. If you cannot do so, explain why not:

I sent my duplicate request and grievances to defendant Brant on 3 occasions and they were never returned to me. I have NO response from the defendants.

IV. STATEMENT OF CLAIM

State here, as briefly as possible, the FACTS of your case. State who, what, when, where and how you feel your constitutional rights were violated. Do not cite cases or statutes. If you choose to submit legal arguments or citations, you must do so in a separate memorandum of law. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. If your claims relate to prison disciplinary proceedings, attach copies of the disciplinary charges and any disciplinary hearing summary as exhibits.

Only two (2) extra pages (8 1/2 x 11") are permitted, if necessary, to complete your statement of claim. Additionally, attach any relevant, supporting documentation.

COUNT I CRUEL AND UNUSUAL PUNISHMENT/DENIAL OF MEDICAL TREATMENT

- 1) At all times and dates of incidents alleged in this complaint, I WAS in the custody and control of the defendants at Menard Correctional Center.
- 2) Upon my arriving at Menard on June 19, 2013, I was ordered by deft. Bebot to allow him to remove my waist chain and place me in handcuffs behind my back.
- 3) I informed defendant Bebot that I had a current special medical needs permit for a waist chain issued in IDOC on April 27, 2013 with an indefinite expiration date (Exhibit A)
- 4) Defendant Bebot informed defendant Page, who was standing next to me that I stated I was current and had a waist chain permit.
- 5) Defendant Page immediately began screaming and cursing within inches of my ear stating, "I don't give a fuck what kind of permit you have, you're in Menard now and we have our own rules here."

6) I had been in a cage that caused me to have to lay on my left arm behind my back and that I was in a physician's care and had a current medical special needs permit for waist chains that was indefinite expiration.

7) Defendant Page then ordered defendant Bebart to cuff me behind my back.

8) Defendant Bebart then forcefully pulled my arms behind my back and cuffed me.

9) I cried out in pain and asked defendants Page and Bebart to stop hurting me.

10) Defendant Bebart, then escorted me in a bent over position to be screened by defendants Jane Doe 1, Jane Doe 2 and Jane Doe 3.

11) I informed all (3) Jane Doe defendants that I was injured and in great pain.

12) Defendants Jane Does 1, 2 + 3 ignored my request for medical assistance and that I had a medical special needs permit for waist chains.

13) Defendants Jane Does 1, 2 + 3 stated that they didn't care about my injury or permit.

14) Defendant Bebart then escorted me (bent over in pain) approximately 100 yards to NR-segregation to be strip searched.

15) I was cuffed behind my back in agony for approximately 35 minutes, while in the custody and control of defendant Bebart.

16) Upon being strip searched by defendant Bebart on June 19, 2013, I was ordered to hand over all of my clothing including my eye glasses, which I complied with.

17) My eye glasses were in excellent condition when I hand them to deft. Bebart.

18) When my clothing and eye glasses were returned to me a few minutes later by defendant Bebart by defendant Bebart they were broken.

19) Defendant Bebart confiscated my glasses and issued me a shake down slip.

20) Upon being escorted to my cell by defendant Bebart, I ran head first into a wall due to being bent over and unable to see. This caused a knot on my head.

21) Approximately 15 minutes after being placed in my cell on June 19, 2013 an unknown officer returned my eye glasses to me stating, "I guess you really do need these!"

22) On June 19, 2013, I submitted written requests to defendants medical director, Zeller, Harrison, Jones requesting medical treatment for my shoulder being further worsened by defendants Page and Bebart and to replace my glasses.

23) On June 19, 2013, I filed 3 grievances marked as EMERGENCY by placing them in an envelope addressed to defendant Harrison pertaining to A) Being denied medical treatment, B) Being injured by defendants Reboot and Page using excessive force, C) For my eye glasses being broke by staff. I also sent letters to defendants Jones and Butler of the same information.

24) On June 23rd, 2013, I sent defendants, medical director, Harrington, Jones and Butler copies of my special medical needs permit and requests for medical treatment.

25) On June 27, 2013, I was seen by an optometrist who ordered me new bifocals.

26) On June 30, 2013 a medical doctor was in my unit but didn't see me.

27) On July 1st, 2013, I again sent defendant Harrison an EMERGENCY grievance due to being denied medical treatment and for being injured by deft's Page + Reboot.

28) On July 10, 2013 at 9pm, I was denied medical treatment by deft. Exelsizer.

29) As of the date of my writing this complaint, July 18, 2013, I have never received a response to any request or grievance I have filed, nor been given any medical treatment except from the optometrist as previously stated. Nor offered, nor refused.

30) I was interviewed on July 2nd, 2013 by internal affairs staff regarding my being assaulted on June 19, 2013 by deft's Page + Reboot.

31) Defendant Childers told me on July 2nd, 2013 that it would do me no good to file grievances here at Menard. I told defendant Childers, I had documents to support my complaints that I wanted to send him. Defendant Childers said it would do no good.

COUNT II MAIL OBSTRUCTION

32) On June 25, 2013, I received legal mail from the Illinois Attorney General opened outside of my presence by defendant John or Jane Doe.

33) On June 26, 2013, I received legal mail from Judge Steve Pearce already opened outside of my presence by defendant John or Jane Doe. (Exhibit B)

34) On June 27, 2013, I received legal mail from Peoples Uptown Law Center (EXC) and Illinois Court of Claims ^(EXD) opened outside of my presence by by deft John or Jane Doe.

35) On June 27, 2013, I filed an EMERGENCY grievance about the mail to deft Harrison.

36) On June 27, 2013 I received legal mail from attorney Mike Zeff already opened outside of my presence by defendant John or Jane Doe. (Exhibit E)

37) On July 1, 2013, I received legal mail from attorney Troy Doles opened outside of my presence by defendant John or Jane Doe. (Exhibit F)

38) On July 2, 2013 I received legal mail opened outside of my presence from attorney Troy Doles by defendant John or Jane Doe.

39) On July 3, 2013, I received legal mail from attorney Troy Doles opened outside of my presence by defendant John or Jane Doe. (Exhibit G)

40) On July 4, 2013, I received legal mail from the Illinois Court of Claims, opened outside of my presence by defendant John or Jane Doe. (Exhibit H)

41) On July 10, 2013, I received legal mail from attorney Mike Zopp opened outside of my presence by defendant John or Jane Doe. (Exhibit I) (stamp opened)

42) On July 12, 2013, I received 3 pieces of legal mail from attorneys Troy Doles and Sean Sayers from officer Hepp. Upon observing the mail had been opened outside of my presence, then re-taped, I refused to sign for it. (Exhibits I + J)

43) On July 11th, 2013, I received legal mail opened outside my presence by deft John Doe.

44) On July 11, 2013, I attended a video conference with 5 of my court appointed attorneys. I informed them of the fact my legal mail is constantly brought to me already opened as well as my legal mail to the court not being sent out or e-filed, by defendants, John/Jane Doe, Harrison, Childers, Bramlet. On this day my attorneys authored and mailed a letter to the counsel of TDC. (See exhibit K) (warning of mail distortion)

45) My attorneys authored and mailed a letter to Illinois Attorney General (Exhibit K)

46) On June 23rd, 2013, I sent legal documents to defendant Bramlet to be copied along with a signed money voucher. I also requested case laws, paper envelopes and a pen to communicate with the court due to my being illiterate.

47) On June 25, 2013, I give an unknown inmate law clerk 40 legal documents and a signed money voucher for copies along with a request for legal supplies to defendant Bramlet.

48) I received notice that funds were taken from my trust account but I have not received ~~any documents~~ all requested copies and no legal materials as of 7-19.

49) On July 1, 2013 an unknown inmate law clerk came to my cell and my counts were supervised.

50) On July 11, 2013, I placed a plain envelope in the US Mail along with a request addressed to defendant Bramlet for legal materials and supplies and a letter asking where my previously submitted ~~100~~ documents were at along with a signed money voucher.

51) A) On July 11, 2013, after being notified by my counsel, deft. Bramlet e-filed my ^{court} documents.

COUNT III MAIL OBSTRUCTION

51) On June 23rd, 2013, I placed in the US Mail, envelopes addressed to the clerk of the US District Federal Court in East St Louis Illinois, to notify the court my address changed on June 19, 2013.

52) I have multiple cases pending in state and federal courts currently.

53) On June 27, 2013 my legal mail addressed to the US District Court and placed in the outgoing US Mail, was returned to me by defendant John Doe.

54) I placed my outgoing legal documents to be filed in the US Southern District Court in the US Mail addressed to defendant Bramlet with a request that the documents be e-filed on July 2nd, 2013. (After notice on 7-11-13 it was filed.)

55) None of my legal documents addressed to the clerk of the Federal court were ~~filed~~ returned to me ~~UNTIL~~ July 17, 2013. ~~where~~ ~~on~~ ~~until the people~~

56) On July 11, 2013, I informed my court appointed counsel that defendants Harrison and Bramlet were obstructing my US Mail and legal mail and denying me court access, by not e-filing my court documents of July 2, 2013.

57) My attorney sent a letter to the Illinois Attorney General who represents all I DOC employees including the defendants in this complaint. (See exhibit K) 7-11-13

58) As a result of my legal mail being obstructed, opened outside of my prison state or lost by defendants John or True Doe, Harrison, Jones, Butler and Bramlet, I have suffered severe head aches, loss of appetite, ~~safety~~, depression, mental and emotional anguish.

59) I have not received any response whatever to my reviews I filed under the "EMERGENCY" provision on June 19, 2013, June 27, 2013 3:13-cv-00663 on July 1st 2013 at the time I written and filing this complaint on July 19, 2013 now I had to wait this to my attorney to get it to the court. It says dates after

COUNT IV DENIAL OF RELIGIOUS DIET

79.9²

60) In June 19, 2013, I filed an EMERGENCY grievance to Defendant Harrison due to being denied a Kosher diet and sent letters to defendant Butler, Jones and Chaplain requesting a Kosher diet.

61) My religion is identified on the IDOC offender tracking system(OTS) as African Hebrew Israelite.

62) A tenant of my religion is to receive a Kosher diet.

63) On June 21st, 2013, I spoke to defendant Chaplain and requested a Kosher diet.

64) On June 23, 2013, I submitted Kosher diet request forms to defendants Harrison, Butler and Chaplain requesting a Kosher diet.

65) I have been completely denied a Kosher diet by defendants Chaplain, Harrison, Butler since my arrival at Menard on June 19, 2013.

66) As a result of defendants Chaplain, Harrison, Butler, all denying me a Kosher diet, I have lost weight, felt weak, had stomach pain, headaches and been forced to consume non Kosher foods against my religious belief.

67) I showed defendant Chaplain my id card which has my religious preference listed on the back of it on June 21st, 2013.

68) Under Illinois State Law a medical doctor is to attend segregation weekly. A nurse is to screen sick call requests daily and a chaplain is to make weekly rounds in segregation. (See exhibits L+M)

69) Medical doctor, nurse and chaplain do not make rounds in segregation in compliance with state law and are not available upon request.

70) Date 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 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COUNT II RETALIATION

- 11) On July 10, 2013 defendant Harrington denied my request for a time cut in segregation without reasonable justification or explanation except stating, "Nature OF Offense", (See exhibit A) After I filed multiple grievances, letters and mailed this original complaint to dett. Bramley to file on 7-27-13.
- 12) Defendant Harrison has granted numerous segregation time cuts for inmates with much worse disciplinary records, more serious rule infractions and gang or security threat group involvement in IACo.
- 13) On 2 separate dates, in front of 2 separate cellmates, security staff John Does have come to my cells and threatened me with "making my life a living hell" if I put their name in my complaints or grievances.
- 14) I do fear for my life and therefore am not naming these John Doe defendants in this complaint even though I know their names.
- 15) Defendants Harrington and Phoenix refuse to reinstate my audio/visual privileges without any reason given, after I filed several grievances.
- 16) After 60 consecutive days in segregation inmates are eligible for restoration of audio/visual privileges if they have not received an IDR.
- 17) Defendant Korando denied me to go a medical call pass on July 18, 2013, stating, "you refused since you went to yard".
- 18) I was never allowed to receive medical treatment and never refused or signed a refusal at any time by dett. Korando.
- 19) Dett. Korando stated to my cellmate Greenwood on July 9, 2013, "I hate to see a turkey from my country", -10- but I don't know how long Wictor will be

80) Defendant Karando left my cell door unsecured on July 18, 2012 in maximum security disciplinary segregation upon my cellmate Greenwood and I returning from yard at 1230pm.

81) Corrections Officer Harris came by doing count on the 3-11 pm shift doing count and found my cell door to be partially open and secured it on July 18, 2013, at 315 pm.

82) Defendant John Doe and Defendant Phoenix have denied me hygiene products for 31 days as of today, as have defendants Butler, Jones and Harrison.

83) I have no money and am indigent.

84) I have written 5 requests for hygiene products including a tooth brush, shampoo, tooth paste, ~~and~~ soap and deodorant, to defendants Phoenix, Butler, Jones, and Harrison.

85) The temperature is well over 100° F. inside my cell daily and being unable to maintain my hygiene is causing me to have severe dandruff, skin rashes and extreme mental and emotional anguish.

86) I have been ordered to live in cell 8-24 on the top bunk by defendant Karando although I have had an indefinite low bunk medical permit prior to even arriving at Menard. This causes me daily pain and suffering to climb into the top bunk, due to my being injured.

Date

Thu 19, 2013

Signature

injured.

V. REQUEST FOR RELIEF

State exactly what you want the Court to do for you. If you are a state or federal prisoner, and seek relief which affects the fact or duration of your imprisonment (for example: illegal detention, restoration of good time, expungement of records or parole release), you must file your claim on a Habeas Corpus form, pursuant to 28 U.S.C. §2254, 28 U.S.C. §2255, or 28 U.S.C. §2241.

87)

87) All defendants are sued in their individual and official capacities.
I seek injunctive relief to: 1) enjoin defendants Harrison, complainant, Butler and Jones from continuing to deny me a Kosher diet. 2) enjoin defendants medical director, Harrison, Butler, and Jones from denying me medical treatment. 3) enjoin defendants John or Jane Does, Harrison, Butler, Jones and Childers from obstructing or interfering with my incoming and outgoing US Mail and Legal Mail. 4) enjoin defendants Harrison, Butler, Jones and Childers from depriving me for exercising my right to retain my resources, and the right to take seek a declaratory, recompensatory and injunctive damages in the sum of \$0,000 from each defendant. Any other relief granted, to enjoin defendant Bramlet, from delaying, obstructing or denying me, meaningful access to the courts.

VI. JURY DEMAND (check one box below)

meaningful access to the courts.

The plaintiff does does not request a trial by jury. (See Fed.R.Civ.P. 38.)

DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

I, the undersigned, certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11(a) and (b) may result in sanctions, monetary or non-monetary, pursuant to Federal Rule of Civil Procedure 11(c).

The plaintiff hereby requests the Court issue all appropriate service and/or notices to the defendant(s).

Signed this 19 day of July, 2013.

Michael L. Widmer

Signature of Plaintiff

1A

Signature of attorney, if any

Illinois Department of Corrections
MEDICAL PERMIT
 Lawrence Correctional Center

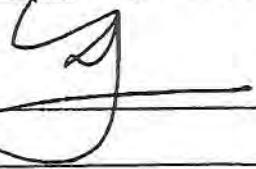
Offender Name: Widmer, Michael Offender Number: B30985
 Housing Unit: 8CU12

<input checked="" type="checkbox"/> New Order	<input type="checkbox"/> Renewal
<input type="checkbox"/> Change	<input checked="" type="checkbox"/> Cancel

Low Bunk - Per Physician Orders the above named inmate is to have
 Low Gallery - a low bunk/low gallery due to his medical conditions.
 See start Date below.

<input type="checkbox"/> Medical	<input type="checkbox"/> ADA	<input type="checkbox"/> State Boots
<input type="checkbox"/> Cane		<input type="checkbox"/> Special Shoes: _____
<input type="checkbox"/> Orthopedic		
<input type="checkbox"/> Crutches		<input type="checkbox"/> Contacts
<input type="checkbox"/> Other:		
<input type="checkbox"/> Walker		<input type="checkbox"/> Fan
<input type="checkbox"/> Slow Walk		<input type="checkbox"/> C-PAP Machine
<input type="checkbox"/> Hearing Aid(s)		<input type="checkbox"/> No Gym/Yard
<input type="checkbox"/> Wheel Chair		<input type="checkbox"/> Medical Lay-In
<input type="checkbox"/> Other ADA:		<input checked="" type="checkbox"/> Other: <u>Waist Chains</u>

Start Date: 4/27/13 Expiration Date: Indefinate

Authorized By: 

MD: _____ Date: 4/27/13

PA: _____ Date: _____

Distribution: Inmate

Medical Records
 Clothing
 Personal Property
 Placement

Printed on Recycled Paper

LAW 0356 (Rev 10/2009)

Illinois Department of Corrections
HUNGER STRIKE RECORD
LAWRENCE CORRECTIONAL CENTER

Page 1 of 1.

Offender's Name and Number: Widmer #B36985 Housing Unit Assignment: Seg CL-2

Placement in Non-Disciplinary Controlled Housing: Seg C6-2

Date/Time of Declaration: 4-27-13 / 4⁰⁰ pm Date/Time of Termination: 4-28-13 / 10⁰⁰ am

Declaration Notification:- Date- Time Notified By
Warden/Duty Warden 4/27/13 4:05 pm L. Whelan

Regularly Scheduled Meals: Record Date and Time

1st Refusal 4-27-13/4pm 2nd Refusal 4-28-13/5pm 3rd Refusal _____

CAO or Designee Interview: Climate issues

A. Lundstrom, DON Received 5/29/2013 LAW 0338 (R)
1000003

LAW 0338 (REV. 1/2004)

Exhibit B



STEVE PACEY, CIRCUIT JUDGE
FORD COUNTY COURTHOUSE
200 WEST STATE STREET
PAXTON, ILLINOIS 60957

Exhibit B



040,000000000000000000000000000000
\$00,460
05/24/2013
Printed From ECRIS
105 Ford Street

Exhibit B

Michael Widmer #B30985
P.O. Box 1000
Menard, IL 62259

LEGAL MAIL

Uptown People's Law Center
4413 N. Sheridan
Chicago, Illinois 60640

Forward To
Menard Correctional Center
711 Koskoskin Street
Menard, IL 62259

Michael L. Widmer
B30985

Menard Correctional Center
K-7 10920 Lawrence Road
Springfield, Illinois 62766

Privileged Legal Correspondence



1251

State of Illinois
COURT OF CLAIMS
630 SOUTH COLLEGE
SPRINGFIELD, IL 62756

Exhibit D

2 D

The correspondence was not
clearly marked as "LEGAL" or
"NOT LEGAL" whenever it was
mailed. All legal correspondence
should be clearly marked as
"LEGAL" or "NOT LEGAL".
Please notify sender so that
correspondence can be marked accordingly.

Exhibit D

Michael Widmer #B30985

10930 Lawrence

Menard

Forward To
Menard Correctional Center
711 Kuskoski Street
Menard, IL 62259

EXHIBIT E

29
EX

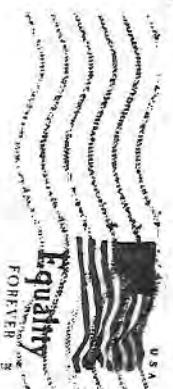
Michael J. Coffey

ATTORNEY AT LAW
501 WEST CHURCH • CHAMPAIGN, IL 61820

EXHIBIT E

This correspondence was not
clearly marked as "LEGAL" or
"PRIVILEGED" therefore it was
opened in the mailroom.

Please notify sender so mailing
can be marked accordingly.



MR. MICHAEL WIDMER
INMATE B30985
MENARD CORRECTIONAL CENTER
PO 1000
MENARD, ILL. 62259

N 2-51



Exhibit 51

BUSH & RAMIREZ, P.L.L.C.
ATTORNEYS AT LAW
5615 KIRBY DRIVE, SUITE 900
HOUSTON, TEXAS 77005



Menard Correctional Center
Michael Lee Williams B-20754
14261

SCHLICHTER, BOGARD & DENTON, LLP

ATTORNEYS AT LAW

100 SOUTH FOURTH STREET, SUITE 900
ST. LOUIS, MISSOURI 63102



ST

Sean E. Soyars, Esq.
Attorney at Law

Michael Wildner, #B30985
PO Box 1000
Menard, IL 62259

CONFIDENTIAL LEGAL CORRESPONDENCE
TO BE OPENED IN PRESENCE OF INMATE

(Exhibit F)

22-80

SCHLICHTER, BOGARD & DENTON, LLP

ATTORNEYS AT LAW

100 SOUTH FOURTH STREET, SUITE 900
ST. LOUIS, MISSOURI 63102

ST. LOUIS, MISSOURI

(Exhibit C)

Mr. Michael Widner B30985

210

104

1001

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10

10

Forward to
Menard Correctional Center
711 Koskoskin Street
Menard IL 62259

EGAL MAIL

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30

Michael J. Kopf

ATTORNEY AT LAW
501 WEST CHURCH • CHAMPAIGN, IL 61820

Correspondence was not
marked as "LEGAL" or
as "CONFIDENTIAL". Therefore, it was
opened and read by staff in the mailroom.
This is a violation of the mailroom's
policy of keeping all correspondence
confidential.

(Exhibit H)

CHAMPAIGN, IL 61820
JULY 31, 2013

MR. MICHAEL WIDMER
INMATE B30985
MENARD CORRECTIONAL CENTER
PO 1000
MENARD, ILL. 62259

HUCHTER, BOGARD & DENTON, LLP
ATTORNEYS AT LAW
100 SOUTH FOURTH STREET, SUITE 900
ST. LOUIS, MISSOURI 63102

(Exhibit D)

Y A. Doles, Esq.
Attorney at Law

Michael Widmer, #B30985
PO Box 1000
Menard, IL 62259

CONFIDENTIAL LEGAL CORRESPONDENCE
TO BE OPENED IN PRESENCE OF INMATE

HUCHTER, BOGARD & DENTON, LLP

ATTORNEYS AT LAW

100 SOUTH FOURTH STREET, SUITE 900

ST. LOUIS, MISSOURI 63102

(314) 421-1100

Troy A. Dories, Esq.
Troy at Law

(Exhibit 5)

Michael Widmer, #1330985
PO Box 1000
Menard, IL 62259

42-34

CONFIDENTIAL LEGAL CORRESPONDENCE
TO BE OPENED IN THE PRESENCE OF COUNSEL

SCHLICHTER, BOGARD & DENTON, LLP
ATTORNEYS AT LAW

TROY A. DOLES

tdoles@uselaws.com

100 SOUTH FOURTH STREET, SUITE 900
ST. LOUIS, MISSOURI 63102
(314) 621-6115
FAX (314) 621-7151
www.uselaws.com

Illinois Office
120 W. MAIN STREET, SUITE 208
BELLEVILLE, ILLINOIS 62220
(618) 632-3329

July 11, 2013

Via Email Communication and Regular Mail

Jennifer Marie Lutzke
Adam G. Eisenstein, Esq.
Assistant Attorney General
Office of the Attorney General
500 South Second Street
Springfield, IL 62706

Re: *Widmer v. Martin*, Case No. 12-cv-1261
Widmer v. Bayler, Case No. 13-cv-23
Widmer v. Shehorn, Case No. 13-cv-24
Widmer v. Hodge, Case No. 13-cv-25
Widmer v. Hoskinson, et al., Case No. 13-cv-26

Dear Counsel.

As you know, this law firm represents Mr. Widmer (B30985) in the above-referenced matters. According to our client, several pieces of mail from this office to Mr. Widmer have arrived either open or severely torn. This office has sent several communications and written correspondence to Mr. Widmer. These communications were clearly marked **“LEGAL MAIL – ATTORNEY/CLIENT PRIVILEGED COMMUNICATION”** and contained privileged communications. As we are sure you will understand, we are greatly disturbed to hear from our client that these communications are apparently being opened outside of Mr. Widmer’s presence. For your reference, Mr. Widmer is presently located at Menard Correctional in Menard, Illinois. Please take immediate action to ensure that any and all mail (outgoing and incoming) properly designated as “Legal Mail” is not opened or otherwise disturbed by anyone other than Mr. Widmer. Please acknowledge your receipt of this communication and please advise by no later than July 17, 2013, what actions have been taken to investigate this issue and to ensure that Mr. Widmer’s “Legal Mail” is not improperly opened or disturbed. Without further information and/or action, we will have no choice but to seek relief from the Court.

On a related matter, we have also learned from Mr. Widmer that his attempt to file an additional case in the Southern District of Illinois regarding his treatment at Menard is apparently being thwarted by Menard officers and/or employees. In particular, it is our understanding that any new lawsuit must be forwarded to Mr. John Bramel of Menard for electronic filing and/or processing. It is further our understanding that this additional case, despite at least two attempts by Mr. Widmer

SEARCHED
INDEXED
SERIALIZED
FILED
JULY 31 2013
CLERK
U.S. DISTRICT COURT
CLARK COUNTY
NEVADA

SCHLICHTER, BOGARD & DENTON, LLP
ATTORNEYS AT LAW

37

Illinois A.G.

July 11, 2013

Page 2

since approximately June 24, has not been filed or otherwise processed by Mr. Bramel. Although we do not represent Mr. Widmer in this new case, we would appreciate your assistance in resolving this issue. Again, please advise by July 17, 2013, what if anything you have learned on this issue.

Sincerely,

Troy A. Doles

Exhibit L 38
0901

20 ILLINOIS ADMINISTRATIVE CODE CH. I SEC.504
SUBCHAPTER e

- 1) A shower and shave no less than once per week.
- 2) State issued toilet tissue, soap, towel, toothbrush, and toothpaste for daily use if the offender has insufficient commissary funds to purchase these items.
- 3) A weekly exchange of clean institutional clothes or availability of laundry services at least weekly.
- 4) False teeth, eye glasses, and other essential items of personal hygiene and health shall be permitted unless they are a threat to safety or security.
- h) Offenders in segregation status shall be permitted personal property as approved by the Chief Administrative Officer except for property prohibited by 20 Ill. Adm. Code 535.
- i) Commissary privileges comparable to those applicable to the general population shall be allowed, according to grade (Section 504.130), except for restrictions on certain items which may be ordered by the Chief Administrative Officer for safety and security reasons or for other legitimate penological reasons.
- j) Persons in segregation status shall receive nutritionally adequate food.
- k) Visits shall be permitted in accordance with 20 Ill. Adm. Code 525.Subpart A.
- l) Medical personnel shall visit the segregation unit daily to screen requests for medical attention, and a physician shall visit the unit on a weekly basis.
- m) A chaplain designated by the Chief Administrative Officer shall visit the segregation area on a daily basis when a chaplain is present on institutional grounds, when possible, but not less than once a week.
- n) Each offender in segregation status shall be contacted by a correctional counselor at least once every 30 days.
- o) Continued involvement in programs may be permitted on an individual basis on approval of the Chief Administrative Officer.
- p) Offenders shall be afforded the opportunity for exercise outside their cells in accordance with Section 504.670.
- q) Offenders who are not in "C" grade shall be permitted to make one collect telephone call per month for a period of no more than 15 minutes.

7/31/13
Page 2

20 ILLINOIS ADMINISTRATIVE CODE **CH. I SEC. 504**
SUBCHAPTER e

- r) Offenders in segregation status shall have the same mail privileges as those provided for persons in the general population (20 Ill. Adm. Code 525.Subpart B).
- s) Offenders in segregation status shall be permitted reading materials and shall have access to materials from the facility library and legal library. Physical access to the library need not be provided.
- t) Any equipment, personal property, or material provided or allowed in the cell of an offender in segregation status, in accordance with this Subpart, may be removed or restricted as approved by the Chief Administrative Officer if the offender destroys, damages, or abuses it in a manner that jeopardizes the safety of any person or the facility or disrupts institutional safety or order.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

Section 504.630 Investigative Confinement

Offenders placed in confinement pending completion of an investigation shall be provided with the same conditions and services as those required for the segregation area.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

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| Section 504.640 Confinement Pending Transfer (Repealed)

(Source: Repealed at 12 Ill. Reg. 8351, effective June 1, 1988)

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| Section 504.650 Confinement in Control Segregation (Repealed)

(Source: Repealed at 22 Ill. Reg. 1206, effective January 1, 1998)

Section 504.660 Administrative Detention

Administrative detention is a nondisciplinary status of confinement which removes an offender from general population or restricts the individual's access to general population.

- a) The Chief Administrative Officer may, with the approval of the Director, Deputy Director, or Assistant Deputy Director, place an offender in administrative detention for up to 90 days.
- b) In determining whether to place an offender in administrative detention, the Chief Administrative Officer may consider, among other matters:
 - 1) The seriousness of the offense;
 - 2) The safety and security of the facility or any person;

Exhibit

N 31



Illinois
Department of
Corrections

Menard Correctional Center / P.O. Box 711 / Menard, IL 62259-9998 / Telephone: (618) 826-5071 / TDD: (800) 526-0844

Pat Quinn
Governor

S. A. Godinez
Director

MEMORANDUM

DATE: 7-10-13

TO: Widmer B-30985 N2-8-24

FROM: ADJUSTMENT COMMITTEE

SUBJECT: SEGREGATION TIME CUT

In response to your request to be reviewed for a reduction in your segregation term, please be advised that you have been reviewed and were approved / denied at this time based on the following reason(s)

<input checked="" type="checkbox"/>	Nature of offense.	COMMENTS _____
<input type="checkbox"/>	Poor adjustment.	_____
<input type="checkbox"/>	Additional observation needed.	_____
<input type="checkbox"/>	Recent inmate disciplinary report.	_____
<input type="checkbox"/>	History of aggressiveness.	_____
<input type="checkbox"/>	Investigation.	_____
<input type="checkbox"/>	Proper Discipline was administered.	_____
<input checked="" type="checkbox"/>	I CONCUR	 Adjustment Committee Chairman

I DO NOT CONCUR – Recommendation _____



Chief Administrative Officer
Menard Correctional Center

Exhibit A

ILLINOIS DEPARTMENT OF CORRECTIONS

Offender Authorization for Payment

Posting Document # 111111111 Date 06/27/2013
Offender Name John W. Jones ID# 53678 Housing Unit 111

Pay to _____

Address _____

City, State, Zip _____

The sum of 78 dollars and 77 cents charged to my trust fund

BF John W. Jones

I hereby authorize payment of postage for the attached mail. I hereby request information on electronic funds transfers to be placed in the attached mail.

Offender Signature John W. Jones ID# _____

Witness Signature _____

Approved Not Approved Chief Administrative Officer Signature _____

Postage applied in the amount of _____ dollars and _____ cents.

Distribution: Business Office, Offender, Mail Room